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AMENDMENT UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE -  
EXAMINING GROUP 1649

Box AF  
Assistant Commissioner for Patents  
Washington, D.C. 20231

PATENT

Attorney Docket No.: 85760-000000  
Client Reference No.: AR001us

On 11/11/98  
TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Mitsuhara et al.

Application No.: 08/805,813

Filed: February 26, 1997

For: PATHOGEN-RESISTANT  
PLANTS AND METHOD FOR  
PRODUCTION THEREOF

Examiner: Nelson, A.

AMENDMENT UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE EXAMINING  
GROUP 1649

12/10/98  
[Signature]  
11-2498

**Box AF**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Final Office Action mailed August 10, 1998, please amend this application as follows:

IN THE CLAIMS:

1. (Twice Amended) A plant which confers resistance to pathogenic fungi, comprising a gene encoding an anti-bacterial peptide, with the proviso that the peptide is not atacin, lysozyme, or cecropin.

OK TO ENTER  
ATN 12/7/98

Sub D'7  
B'